



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 6

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DALLAS, TX 75202-2733

MAR 05 2015

David Kostroun  
Chief Administrator  
Agriculture and Consumer Protection Division  
Texas Department of Agriculture  
P.O. Box 12847  
Austin, Texas 78711

Dear Mr. Kostroun:

Enclosed is the "End-of-Year Review of the FY 2014 Texas Department of Agriculture Cooperative Agreement for Pesticides".

Review by the Region 6 Environmental Protection Agency pesticides staff was conducted by an on-site visit in Austin with your Pesticides Division Managers and staff during November 12-13, 2014. The reports provided by your staff allowed us to document your program efforts and demonstrate the environmental benefits resulting from those efforts. Thank you for working with us on the national focus towards program accountability and performance measurement.

We have no formal recommendations in regard to the End-of-Year Review. We appreciate the cooperation we receive from you and your staff towards our ongoing partnership. Should you have any questions or comments, please contact Lee McMillan, EPA Project Officer at 214-665-6404.

Sincerely Yours,

*Lee McMillan, acting for Steve Vargo*  
Steve Vargo

Associate Director  
Multimedia Permitting and  
Planning Division

Enclosure



## **U.S. Environmental Protection Agency**

End of Year Review of the  
FY 2014  
Texas Department of Agriculture Cooperative Agreement for Pesticides

**March 5, 2015**

## **I. BACKGROUND**

### **A. General**

- 1. Project Period:** Start Date: September 1, 2013  
End Date: August 31, 2014
- 2. EPA Assistance Agreement Number:** E-00635514
- 3. Review method:** On-Site Review at the Texas Department of Agriculture Pesticide Division office in Austin, Texas.
- 4. Review participants:**
  - EPA: Lee McMillan, Project Officer, Texas Department of Agriculture
  - State: Randy Rivera, Administrator for Agriculture Protection and Certification  
Jan Fults, Director for Environmental and Biosecurity Programs  
Michael Kelly, Compliance Coordinator, Structural Pest Control Service  
Perry Cervantes, Coordinator for Pesticide Certification and Compliance  
Rebecca Wendel, Lead Case Preparation Officer
- 5. Review date(s) and location:** The end of year (EOY) review of the Texas Department of Agriculture Pesticides Program occurred November 12-13, 2014 in Austin, Texas.

### **B. Scope of Review**

This is the EOY review for the cooperative agreement between the U.S. Environmental Protection Agency Region 6 (EPA) and the Texas Department of Agriculture (TDA). This review is a joint evaluation as described in the work plan and 40 CFR §35.115. Program accomplishments, effectiveness, problem areas, suggestions for improvement, and any resolutions to problems are described in the sections that follow.

## **II. FINANCIAL**

### **A. Budget Analysis**

The following table summarizes funding and expenditures.

<b>Work Plan Component</b>	<b>EPA Funding</b>	<b>State Funding</b>	<b>Total Funding</b>	<b>Unobligated Funds</b>
<b>Enforcement</b> (Incl. FIT)	\$ 738,111	\$ 130,255	\$ 868,366	\$0
<b>C&amp;T</b>	\$ 104,232	\$ 104,232	\$ 208,464	\$0
<b>Programs</b> (WPS, GW, ES)	\$ 104,754	\$ 18,486	\$ 123,240	\$0
<b>TOTAL</b>	\$ 947,097	\$ 252,973	\$ 1,200,070	\$0

<sup>1</sup> WPS = Worker Protection Standard, GW = Ground Water Program, and ES = Endangered Species Program, FIT = FIFRA Inspector Training

**NOTE:** As of December 4, 2014, the Final Financial Status Report (FSR) was received and processed. The cooperative agreement is financially closed. The Close-Out Inquiry was signed by the Project Officer on January 16, 2014.

### **B. Re-budgeting**

There was no re budgeting done by TDA this year.

## **III. COOPERATIVE AGREEMENT ADMINISTRATION**

### **A. Post-award checklist**

The post-award checklist is completed by EPA and placed in the TDA Cooperative Agreement file. This documents, as required by the EPA Grant Programs Office, that TDA did use Cooperative Agreement funding from EPA for items outlined in our Government Performance Results Act (GPRA) Goal 4.1, Ensuring the Safety of Chemicals and Preventing Pollution, and Goal 5.1, Enforcing Environmental Laws as well as the Work Program negotiated for the cooperative agreement.

### **B. Recommended Actions from our Grant Programs office.**

There were no recommendations from our Region 6 Grant Programs office.

#### IV. COMPLIANCE AND ENFORCEMENT

##### A. State Reports

1. Pesticide Assessment Rating Tool (PART), the Enforcement Outcome Measures report was included with the FY 2014 EOY Report from the TDA as required in the FY 2014 Cooperative Agreement. Below is a summary of the final 2014 PART Measures from TDA:
  - a. The first measure indicates that TDA has a repeat violator measure of 15.93%
  - b. The second measure indicates that TDA verified compliance in 1.4% of its enforcement actions out of 276 total enforcement actions.
  - c. The third measure indicates that TDA uses approximately \$9,063 for each enforcement action.
2. 5700-33H reports were submitted to EPA Region 6 for FY 2014. These reports provide an annual summary of inspections and enforcement actions in Texas and reflect activities for inspections and enforcement of the Texas Department of Agriculture's Pesticides Division.

TDA enforcement actions for FY 2014 include **131** warning letters and **143** cases where fines were assessed. TDA had no license/certification suspensions, license/certification revocations, or license/certification conditions/modifications. A total of **6,771** inspections were completed by TDA in FY 2014. TDA had a total of **559** stop-sale, seizure, quarantine, or embargo of products. The largest number of inspections completed by TDA included **4,945** Certified Applicator Records inspections, **868** Restricted Use Dealer inspections followed by **285** Market Place inspections.

##### B. Case File and Enforcement Action Evaluation

###### 1. Significant Cases (FIFRA Section 27)

There were no FIFRA Section 27 cases in Texas during FY 2014.

###### 2. Routine Cases – other than Worker Protection

EPA staff review all inspection reports from referrals sent to TDA. The federal inspections completed include narratives, receipts for samples, photos of products, labels, invoices, and shipping records. Federal inspections at producer establishments were also conducted by TDA.

The following case and inspection files were reviewed. A State Case Review Checklist was completed for each:

<b><u>Case/Inspection #</u></b>	<b><u>Complainant</u></b>	<b><u>Type</u></b>	<b><u>Outcome</u></b>
Biomist Pest Control (Clifford Yates) – Case #: 5011-14-0113	Texas Dept. of Agriculture	Follow-Up / Non-Ag	Notice of Violation /Penalty Order -- \$250
Circle F Tree Spraying (William Fry) – Case #: 5011-14-0219	Lisa Kaindl	Follow-Up / Non-Ag	Notice of Violation /Penalty Order -- \$500
Horlen Pest Control (Tommy Horlen) – Case #: 5011-14-0081	Texas Dept. of Agriculture	Routine / Non-Ag	Notice of Violation /Penalty Order -- \$750
Mid-Cities Pest Control (Randall R. Leal) – Case#: 5011-13-0249	Texas Dept. of Agriculture	Follow-up / Non-Ag	Warning Letter
911 Wildlife (Bonnie Bradshaw) – Case #: 5011-14-0607	David Fincannon	Follow-up / Non-Ag	Warning Letter
Rene Gutierrez – Case #: 5011-14-0154	John Mays	Follow-Up / Non-Ag	Warning Letter
Adrian Ellison – Case#: 2414-13-0159	Texas Dept. of Agriculture	Follow-up / Ag	Notice of Violation /Penalty Order -- \$400
James Littlejohn – Case#: 2414-13-0295	Donna Schad Phillip Reiter	Follow-up / Ag	Notice of Violation /Penalty Order -- \$400
Chemical Weed Control (Lance Reeves) – Case#: 2414-13-0299	Dan Know	Follow-up / Ag	Notice of Violation /Penalty Order -- \$1,150
Ronald Elmore, Jean Sanders – Case#: 2414-13-0257	Walter Boyd	Follow-up / Ag	Notice of Violation /Penalty Order -- \$750
Tommy Allen – Case#: 2414-13-0257	Texas Dept. of Agriculture	Follow-up / Ag/ WPS	Notice of Violation /Penalty Order -- \$1,100
Brandon Nicholson – Case#: 2414-13-0332	Texas Dept. of Agriculture	Follow-up / Ag/ WPS	Notice of Violation /Penalty Order -- \$400

The case files reviewed were consistent in their content. TDA has continued to streamline all of its reports to enhance consistency via a structured format for documentation. TDA enforcement actions were consistent with their Enforcement Response Policy penalty matrix.

### **3. Oversight inspections – other than Worker Protection**

EPA did not schedule any oversight inspections with TDA

## **C. Compliance Priority – Worker Protection Standard (WPS)**

### **1. Reports**

- a. The Pesticide Worker Protection Standard (WPS) Inspection and Enforcement Accomplishment Report (Supplemental Form 5700-33H) was included in Appendix I.
- b. The FY 2014 Texas Reporting Form for Pesticide Worker Safety is supplied electronically to OECA.

### **2. Significant WPS Cases (FIFRA Section 27)**

There were no significant WPS cases under Section 27.

### **3. WPS oversight inspections**

There were no WPS oversight inspections.

### **4. WPS Case File evaluation**

WPS case narrative summaries for three cases where administrative orders or other enforcement actions were taken were provided in the TDA end-of-year report. During the site review, two WPS case files were reviewed. Case file documentation supported the enforcement actions. Administrative penalties were assessed to both cases. All reviewed WPS cases had a letter of noncompliance. Uses of a pesticide inconsistent with the labeling were violations found in one case. One of the cases involved a pesticide safety training violation.

### **5. WPS Compliance Analysis**

The TDA's penalty enforcement actions above did follow TDA's Enforcement Response Policy as written by the agency. Of the total 123 inspections, there were a total of 42 violations and three cases assessed fines for the year that were reported on the WPS 5700-33H form. Of the violations found, from September 1, 2013 to August 31, 2014, there was a total of \$700.00 collected in fines by TDA. The WPS violations found in FY 2014 included 18 for pesticide safety training, three for failing to have personal protective equipment, three for failing to provide all the required

supplies at the decontamination site, two for notice of application, two for emergency assistance, two for early entry, and 15 violations of central posting.

TDA highlighted four WPS enforcement actions in their end-of-year report. During the site review, two WPS case files were reviewed. Case file documentation supported the enforcement actions.

## **D. Inspection and Enforcement Support**

### **1. Training**

TDA has 20-30 active inspectors overall of which approximately 17 inspectors have Federal EPA FIFRA credentials. Turnover continues to be a challenge for TDA's field inspectors. Approximately 25-30% have two years of experience or less. FIFRA Inspections conducted with Federal credentials are being sent to EPA for review, and are being logged into EPA Region 6's tracking system for federal inspections. The Region 6 Pesticide Enforcement Team conducts inspector trainings for those with Federal EPA credentials, and inspections conducted by these inspectors are reviewed by EPA Region 6.

TDA staff attended the EPA Region 6 Inspector Training Workshop that was held in April 2014 in Baton Rouge, Louisiana. Inspectors and managers from pesticide regulatory programs in four of the five states that make up EPA Region 6 were in attendance. Nine TDA inspectors attended this training. TDA has also implemented monthly webinar training for its inspectors in FY 14.

### **2. Enforcement Response Policy**

TDA's Pesticide Administrative Penalty Matrix was finalized on June 9, 2000. Texas Agriculture Code (the Code), 76.155 confers administrative penalty authority to the TDA. Section 76.1555(b) requires the TDA to "...establish a schedule stating the types of violations possible under Chapters 75 and 76 of this code and the maximum fine applicable to each type of violation. Pursuant to the provisions of Chapter 76 of the Code, the department has primary responsibility and authority for regulating pesticides in the State of Texas." "TDA may assess penalties not to exceed \$2,000 for each violation, provided that the penalty does not exceed \$4,000 for all violations related to a single incident." TDA uses their existing penalty matrix to assess fines in all cases.

### **3. Risk Based Inspection Scheme**

TDA has fully implemented the risk-based inspection approach. Streamlining is ongoing. Risk-based inspections prioritize based on the risks posed to human health and the environment. Data on pesticide inspections was collected from 2008-2012, analyzed and a determination of compliance rates was made for each type of inspection. The TDA Program and Logistic team continue to monitor and analyzed the targets provided to the inspectors on a monthly basis. Through this risk-based TDA was able to increase the number of regulated entities that received enforcement actions by 47%.



#### **4. Inspection and Enforcement Procedures**

TDA made a substantial change in the pesticide compliance program toward the end of FY2014. TDA reevaluated the goals and resources for all programs in the Agriculture and Consumer Protection division. In FY2014, a new “Command Center” was designed, built and staffed to allow for centralized dispatching of inspectors throughout the state. Previously, the regional offices made the determination as to the inspections or complaints that each inspector in that region was going to conduct. With the new command center, manned by two logistics specialists, each inspector receives specific inspections or complaints to conduct that are decided on a daily basis

EPA did not conduct any joint inspection with TDA in FY 2014. For those inspections that EPA requested narrative reports, TDA provided them.

#### **5. Quality Assurance**

TDA did not report any problems in their FY 2014 Quality Assurance (QA) Annual Report. The QA Program final report was sent to EPA Region 6 Pesticides Section in July 2014. The QAPP and the QMP were also updated and submitted as required to EPA in July 2014.

##### **a. QA Audit**

A QA audit was not conducted.

##### **b. Other QA observations**

There were no QA observations.

##### **c. Laboratory visit summary**

EPA Region 6 Pesticides Section did not conduct a laboratory visit.

#### **E. Special activities requested by EPA Region 6**

EPA Region 6 Pesticides Section requested two import inspections. Inspections were completed in a timely manner.

#### **F. State-specific priority work**

TDA is not undertaking any State-specific priority work.

#### **G. New Legislation and Regulations**

There have been no recent changes in legislation or regulations or the state.

## **H. Action Items from Previous Midyear Review**

EPA had no recommendations from the previous Midyear Review.

## **I. Conclusions and Recommendations for Compliance/Enforcement**

There are no formal recommendations for the Enforcement program at this time.

## **V. PROGRAMS**

### **A. Worker Safety**

#### **1. Certification and Training of Pesticide Applicators**

##### **a. Previous Recommendations:**

No previous recommendations were made.

##### **b. Accomplishments**

##### **i. Work-Plan Commitments and National Program Priorities**

For FY 2014, TDA reported in the certification plan and reporting database (CPARD) certifying **2,111** commercial applicators and **2,720** private applicators. In addition, TDA recertified **15,917** commercial applicators and **4,304** private applicators during this reporting period. Overall, TDA has a total of **21,367** commercial applicators and **44,901** private applicators. There are 2,919 more applicators compared to the FY 2013 total of 63,619.

TDA did not report any licenses revoked or suspended during this reporting period. TDA assessed financial penalties to 59 commercial applicators and 34 private applicators. They also issued non financial penalties (warning, advisory letters, etc.) to 19 commercial applicators and 12 private applicator.

The FY 2014 end of year report states that TDA monitored 59 agricultural and structural recertification/training programs serving 4,600 applicators. TDA also accredited 574 continuing education unit (CEU) courses for recertification during FY 2014. TDA approved 1942.5 CEU hours during this reporting period. TDA continued working with Texas AgriLife Extension to develop pools of questions that can be used for recertification examinations.

The Structural Pest Control Service (SPCS) completed its first year with the new computer-based testing program for structural pesticide applicators and has contracted with PSI Services, LLC (PSI) to conduct examinations. The TDA Agricultural Pesticide Program also partnered with PSI to provide “Convenience Testing” at twenty-two sites throughout Texas. The program allows those who qualify for a license to use online and phone registration for scheduling exams. The examination sites are located in Texas with each facility being staffed by PSI employees who monitor the exam process and

provide on-site scores after completion. AgriLife is responsible for all Private Applicator licensees and provides 80% of all the CEU educational opportunities for all agricultural pesticide applicators. AgriLife also provides a prerequisite training required prior to taking the certification exam.

In an effort to streamline the CEU educational process, TDA implemented an electronic roster reporting procedure in October of 2013. This process allows the CEU information to be handled electronically and provides a mechanism for TDA to compile, search and reconcile CEU course information in a more efficient manner. AgriLife took the lead on developing a barcoded CEU card for use by attendees of the AgriLife pesticide course. Once the cards are read the information can be sent to TDA by email after each course. TDA supported the agricultural extension through a grant and was able to serve 46 AgriLife county extension office.

In FY 2014, TDA continues to distribute brochures, other pesticide licensing, and enforcement informational materials to applicators. The documents are accessible on the TDA portal, which allows inspectors in the field access copies when needed while working with applicators in remote locations.

TDA staff meets regularly with the Agricultural and Environmental Workgroup of Texas AgriLife Extension to discuss pesticide applicator certification issues. Coordinators talk and/or exchange emails frequently to discuss issues related to the Worker Safety Programs.

#### **ii. Additional Program Activities**

TDA provided a webinar on the new examination procedure to approximately 150-200 AgriLife Extension Agents and educators. TDA staff members had the opportunity to attend and participate at EPA's PREP/PIRT trainings courses in Davis (CA), Orlando (FL), Baton Rouge (LA), Little Rock (AR), and Puyallup (WA) throughout 2014.

#### **c. State/Tribe Feedback**

The State did not provide any feedback on the EPA's Certification and Training program.

#### **d. Conclusions and Recommendations**

There are no formal recommendations for the Certification and Training program at this time.

## **2. Worker Protection Standard (WPS)**

### **a. Previous Recommendations**

There were no previous recommendations in the WPS program.

### **b. Accomplishments**

#### **i. Work-Plan Commitments and National Program Priorities**

TDA continues to focus on activities that support the Worker Protection Standard (WPS) rule. The TDA training of workers and handlers continues to be a priority, along with distributing pesticide safety information in conjunction with their Certification and Training Programs. The TDA issued 3,131 handler cards and 6,293 worker cards during this reporting period. There were 24 worker/handler safety trainings and eight of them were conducted in Spanish by TDA staff. TDA supplied EPA with a listing of all WPS Safety Training conducted by them, outlining date, inspector (trainer), region held, city, county, type of training (worker or handler), and number of people in each training (FY 2014 End of Year Report to EPA, pg 7).

The TDA meets with the Texas AgriLife Extension on a regular basis to discuss their activities related to the Worker Protection Standard Program in Texas. The TDA inspectors routinely distribute EPA worker/handler training materials and the pesticide exposure brochures at worker/handler training sessions. These materials are also distributed during the laws and regulations presentations at the various CEU programs across the state. TDA and AgriLife Extension reviewed the core training/study manuals for the private applicator and the commercial/noncommercial applicator. Updates and improvements were identified. Enhancement of the information provided on WPS was identified as a priority. Both core manuals were revised and updated to include expanded information on WPS and other topics.

TDA inspectors distribute EPA worker/handler training booklets and the pesticide exposure brochures in English and Spanish to WPS-covered establishments on how to obtain compliance assistance materials from EPA's Compliance Assistance Center. This information is disseminated when TDA inspectors conduct WPS worker/handler inspections or trainings. TDA pesticide inspectors received and disseminated 200 WPS How to Comply DVDs throughout the 5 regions of the state.

TDA responds to requests for WPS information from various migrant clinics, public health agencies, rural health providers, service organizations, other entities representing underserved populations and fence line communities. TDA inspectors conduct worker/handler training programs for various migrant

worker groups upon request and have the capability of providing such training in Spanish as well as English.

**ii. Additional Program Activities**

There are no additional program activities.

**c. State Feedback**

The TDA did not provide feedback during this reporting period.

**d. Conclusions and Recommendations**

There are no recommendations at this time.

**B. Pesticides in Water**

**1. Previous Recommendations**

There were no previous recommendations in the Water Quality program.

**2. Accomplishments**

**a. Work-Plan Commitments and National Program Priorities**

The Pesticide Division of TDA continues to collaborate with the Texas Commission on Environmental Quality (TCEQ), Texas Department of State Health Services (DSHA), and Texas Parks and Wildlife Department to track pesticide impacts on water quality in Texas. TDA does not conduct water sampling for pesticide monitoring; however, TDA monitors complaints, assessments and reports on state's groundwater and surface water. There were no new reports on pesticide contamination of groundwater or surface water incidences of pesticide impairments in Texas. There were also no complaints of pesticide drift into surface water.

TDA works with the Texas Commission on Environmental Quality (TCEQ) to protect ground and surface water in Texas. All Texas databases were identified that contained methods and pesticides of interest in Texas. This was in completion of a request from EPA Office of Pesticide Programs for the water performance measures. Databases of water samples from the state that showed pesticides in water helped TDA and TCEQ identify pesticides of interest (POI's) in Texas. TDA was not made aware of any new reports of pesticide contamination of groundwater in FY2014. As part of the Agricultural Chemicals Subcommittee of the Texas Groundwater Protection Committee TDA and TCEQ have jointly completed evaluating the 57 pesticides recommended by EPA and the data has been completed in POINTS. The subcommittee will revise the pesticide evaluations as needed when new data is available. Pesticide monitoring by TCEQ

in the Gulf Coast Aquifer and Panhandle of the state were primarily focused on atrazine. Out of the samples taken all were well below the 3.0 ppb MCL. TDA was not made aware of any new reports of pesticide contamination of surface water.

TDA staff participated in several EPA meetings and conference calls on development of the NPDES Pesticide General Permit. TDA also worked with TCEQ on the development of a Texas discharge general permit. No adverse incidents have been reported to TDA since the inception of this program due to the use of pesticides that resulted in unintended consequences in water ecosystems. There were also no reported violations of the TPDES Pesticide General Permit, no incidences of pesticide impairments in surface water, no known complaints of pesticide drift into surface waters or any adverse effects due to pesticide applications affecting surface waters reported to TDA. To date all pesticide TMDLs are for legacy pesticides with natural attenuation being selected as the preferred method of remediation.

TDA continues to work with landowners and other state and federal agencies in developing best management practices (BMPs) that will prevent the runoff of pesticides, nutrients and bacteria from CAFOs, pastures and cropland into surface and groundwater. TDA staff began a three-year appointment to the Texas Water Conservation Advisory Council which promotes and endorses a variety of Best Management Practices (BMPs) specifically for agriculture in the state.

**c. Additional Program Activities**

There are no additional program activities.

**3. State Concerns**

TDA did not express any concerns.

**4. Conclusions and Recommendations**

There are no recommendations at this time.

**C. Endangered Species**

**1. Previous Recommendations**

There were no previous recommendations.

**2. Accomplishments**

**a. Work Plan Commitments and National Program Priorities**

In FY 2014, TDA coordinated with the US Fish & Wildlife Service (USFWS) and Texas Parks & Wildlife Department for the reintroduction of the black footed

ferret. The purpose of this is to assist Texas ranchers, farmers and landowners to control the black-tailed prairie dog and minimize the use of pesticides.

TDA continues to participate in the Edwards Aquifer Recovery Implementation Program, which intends to enhance the Edwards Aquifer and preserve endangered species. In addition, TDA has been involved in the Interagency Taskforce's Project, the USDA-NRCS Wildlife Subcommittee of the Texas State Technical Advisory Committee and with other federal/state groups to provide technical assistance on conservation issues regarding endangered species.

TDA continued providing information pertaining to endangered Species through their website and CEUs for pesticide applicators. Also, TDA's website provides links to EPA's endangered species program website.

The National Endangered Species Protection Program Implementation Plan implemented a database. This database is called "Bulletins Live!" which is currently operational. TDA currently has 25 bulletins on "Bulletins Live" for the protection of the Northern Aplomado Falcon and the use of two products (Rozol and Kaput-D Prairie Dog Bait [diphacinone]) for prairie dog control.

TDA continues the initiative to work closely with USFWS in Arlington, TX in an effort to understand the program and educate inspectors and the public about the proper use of Rozol. USFWS supplied a fact sheet on anticoagulants as an outreach tool for the public, applicators, and inspectors. This fact sheet was disseminated in TDA Regions 1 and 4 which have the Northern Aplomado Falcon.

TDA is currently participating in the Interagency Taskforce's project on Endangered Species Surveys and Protocols. The project goal is to identify best practices for survey protocols for species under review that provide accurate, credible and verifiable data that can be used in making conservation decisions regarding these species.

#### **b. Additional Program Activities**

TDA staff engaged in many matters pertaining to endangered species that might not necessarily impact the species directly via pesticides, but are none the less important issues for Texas. Endangered species of interest this past fiscal year included, but were not limited to: salamander species in central Texas, mussel species throughout the state, whooping cranes along the coast, and especially the listing of the Lesser Prairie Chicken as threatened.

### **3. PART Review Measures**

There were no endangered species PART measures required.

**4. State Changes**

TDA did not have any state changes in 2014

**5. Conclusions and Recommendations**

There are no recommendations at this time.

**C. Regulatory Exemptions and Experimental Use Permits**

In an effort to control Cotton Root Rot, Tawny Crazy Ants, and Sugarcane Aphid, TDA submitted five requests for a FIFRA Section 18 emergency exemptions, to use the following pesticides against the above listed pests: TopGuard (14-TX-01), Termidor SC (12-TX-09), and Transform WG (14-TX-02) respectively.

**D. Container and Containment Rule Implementation**

**1. Previous Recommendations**

There were no previous recommendations in the Water Quality program

**2. Accomplishments**

TDA took significant efforts toward improving inspections for compliance with the federal container/containment (CC) regulations. TDA was able to exceed the commitment of 10 CC inspections by conducting 18 inspection total. TDA found violations at each facility and per the agreement with TDA all cases are referred to EPA Region 6 for enforcement.

**3. Conclusions and Recommendations**

There are no recommendations at this time.

**E. Other Programmatic Activities**

The Structural Pest Control Service through its state initiative conducts inspections of school districts and facilities within school districts for compliance with state regulations regarding integrated pest management (IPM) in schools. The purpose of these inspections are to review the entire school district's IPM program through the school district review process. For FY2014, there were 270 school district inspections, thus achieving the state's 250 IPM inspection goal.